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Judges. Restrictions On Judicial Immunity.

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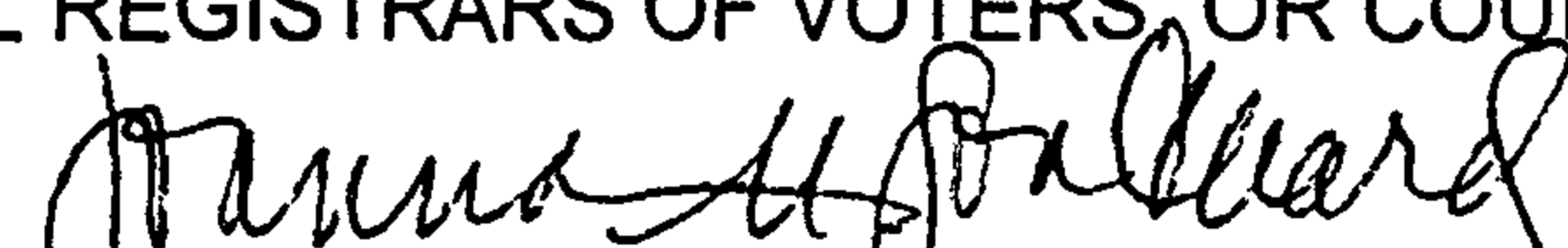
BILL JONES
Secretary of State
State of California

ELECTIONS DIVISION
(916) 657-2166
1500 - 11th STREET
SACRAMENTO, CA 95814
Voter Registration Hotline
1-800-345-VOTE
For Hearing and Speech Impaired
Only
1-800-833-8683
e-mail: comments@ss.ca.gov

April 13, 2000

TO: ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENTS (00125)

FROM:


JOANNA SOUTHARD
ELECTIONS ANALYST

SUBJECT: INITIATIVE #902

Pursuant to Elections Code section 336, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed initiative measure entitled:

**JUDGES. RESTRICTIONS ON JUDICIAL IMMUNITY.
INITIATIVE CONSTITUTIONAL AMENDMENT.**

The proponents of the above-named measure are:

Ronald Branson
16623 Calahan Street
North Hills, CA 91343

Gladys O. Miller
9789 Karmont Avenue
South Gate, CA 90280

Philip A. Putman
9652 Bay Meadow Drive
Huntington Beach, CA 92646

Alex A. Burrola
800 Frankel Avenue
Montebello, CA 90640

Patricia J. Barry
7400 Hollywood Blvd., #425
Los Angeles, CA 90046

S. Denise Gonzalez
5221 No. Rosemead Blvd. "D"
San Gabriel, CA 91776

David Silva
11034 Defoe Avenue
Pacoima, CA 91331

Wayne W. Miller
9789 Karmont Avenue
South Gate, CA 90280

Peymon Mottahedeh
13211 Myford Road, #332
Tustin, CA 92782

Kyle Hammans
15600 Van Owen St., #104
Van Nuys, CA 91406

Summer Reese
8928½ Woodman Avenue
Arleta, CA 91331

Stephen Pflanze
24821 Winterwood Drive
Lake Forest, CA 92630

Michael L. Pendleton
7903 Elm Avenue, #265
Rancho Cucamonga, CA 91730

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APR 17 2000

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"Ensuring the integrity of California's election process"

#902

JUDGES. RESTRICTIONS ON JUDICIAL IMMUNITY.
INITIATIVE CONSTITUTIONAL AMENDMENT.

CIRCULATING AND FILING SCHEDULE

1. Minimum number of signatures required: 670,816
California Constitution, Article II, Section 8(b)
2. Official Summary Date:.....Thursday, 04/13/00
Elections Code section (EC§) 336
3. Petitions Sections:
 - a. First day Proponent can circulate Sections for
signatures (EC §336) Thursday, 04/13/00
 - b. Last day Proponent can circulate and file
with the county. All sections are to be filed at the
same time within each county (EC §336, 9030(a))Monday, 09/11/00*
 - c. Last day for county to determine total number of
signatures affixed to petitions and to transmit total
to the Secretary of State (EC §9030(b))..... Thursday, 09/21/00**

(If the Proponent files the petition with the county on a date prior to 09/11/00,
the county has eight working days from the filing of the petition to determine the
total number of signatures affixed to the petition and to transmit the total to the
Secretary of State) (EC §9030(b)).
 - d. Secretary of State determines whether the total number
of signatures filed with all county clerks/registrars of
voters meets the minimum number of required signatures,
and notifies the counties (EC §9030(c)).....Saturday, 09/30/00
 - e. Last day for county to determine total number of qualified
voters who signed the petition, and to transmit certificate
with a blank copy of the petition to the Secretary of State
(EC §9030(d)(e))..... Tuesday, 11/14/00

* Date adjusted for official deadline which falls on Sunday (EC §15).

** Date varies based on receipt of county certification.

INITIATIVE #902

Circulating and Filing Schedule continued:

(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 09/30/00, the last day is no later than the thirtieth day after the county's receipt of notification). (EC §9030(d)(e)).

- f. If the signature count is more than 737,898 or less than 637,275 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 637,275 and 737,898 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of all signatures (EC §9030(f)(g); 9031(a)) Friday, 11/24/00*
- g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State. (EC §9031(b)(c)). Tuesday, 01/09/01

(If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 11/24/00, the last day is no later than the thirtieth working day after the county's receipt of notification) (EC §9031(b)(c)).

- h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient (EC §9031(d); 9033)..... Saturday, 01/13/01*

NOTE TO PROPONENTS WHO WISH TO QUALIFY FOR THE NOVEMBER 7, 2000 PRESIDENTIAL ELECTION: This initiative must be certified for the ballot 131 days before the election (June 29, 2000). Please remember to time your submissions accordingly. For example, in order to allow the maximum time permitted by law for the random sample verification process, it is suggested that proponents file their petitions to county elections officials by April 21, 2000. If a 100% check of signatures is necessary, it is advised that the petitions be filed by March 1, 2000.

* Date varies based on receipt of county certification.

IMPORTANT POINTS

- California law prohibits the use of signatures, names and addresses gathered on initiative petitions for any purpose other than to qualify the initiative measure for the ballot. This means that the petitions cannot be used to create or add to mailing lists or similar lists for any purpose, including fundraising or requests for support. Any such misuses constitutes a crime under California law. Elections Code section 18650; *Bilofsky v. Deukmejian* (1981) 123 Cal. App. 3d 825, 177 Cal. Rptr. 621; 63 Ops. Cal. Atty. Gen. 37 (1980).
- Please refer to Elections Code sections 100,101,104,9001, 9008, 9009, 9021, and 9022 for appropriate format and type consideration in printing, typing and otherwise preparing your initiative petition for circulation and signatures. Please send a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file.
- Your attention is directed to the campaign disclosure requirements of the **Political Reform Act of 1974**, Government Code section 81000 et seq. A brief summary is attached for your reference.
- When writing or calling state or county elections officials, provide the official title of the initiative which was prepared by the Attorney General. Use of this title will assist elections officials in referencing the proper file.
- When a petition is presented to the county elections official for filing by someone other than the proponent, the required authorization shall include the name or names of the persons filing the petition.
- When filing the petition with the county elections official, please provide a blank petition for elections official use.

Enclosures

BILL LOCKYER
Attorney General

State of California
DEPARTMENT OF JUSTICE



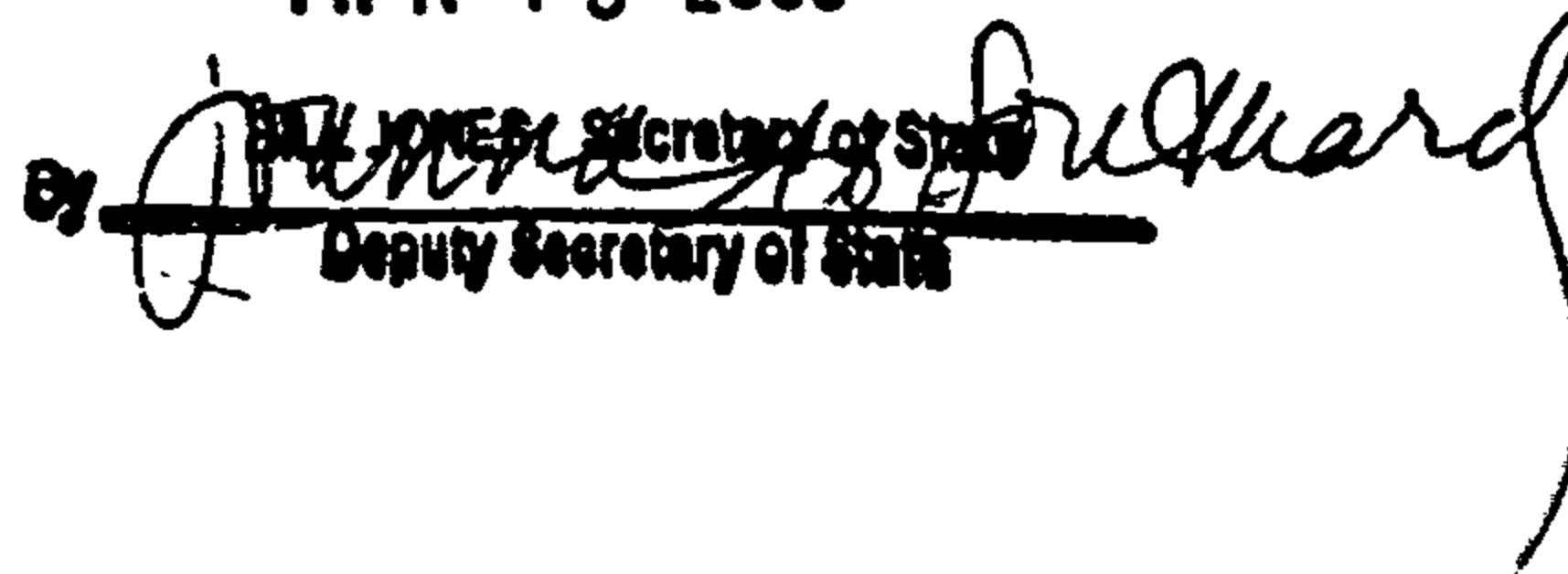
1300 I STREET, SUITE 125
P.O. BOX 94425
SACRAMENTO, CA 94244-255
Public: (916) 445-9555

Facsimile: (916) 324-8835
(916) 324-5490

April 13, 2000

FILED
In the office of the Secretary of State
of the State of California

APR 13 2000

By  **BILL JONES, Secretary of State**
Deputy Secretary of State

Bill Jones
Secretary of State
1500 - 11th Street, 5th Floor
Sacramento, California 95814

RE: Initiative Title and Summary
SUBJECT: JUDGES. RESTRICTIONS ON JUDICIAL IMMUNITY.
INITIATIVE CONSTITUTIONAL AMENDMENT.
FILE NO: SA2000RF0011

Dear Mr. Jones:

Pursuant to the provisions of sections 9004 and 336 of the Elections Code, you are hereby notified that on this day we mailed our title and summary to the proponents of the above-identified proposed initiative.

Enclosed is a copy of our transmittal letter to the proponents, a copy of our title and summary, a declaration of service thereof, and a copy of the proposed measure.

According to information available in our records, the names and addresses of the proponents are as stated on the declaration of service.

Sincerely,


TRICIA KNIGHT
Initiative Coordinator

For **BILL LOCKYER**
Attorney General

TK:cw
Enclosures

Date: April 13, 2000
File No: SA2000RF0011

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

JUDGES. RESTRICTIONS ON JUDICIAL IMMUNITY. INITIATIVE CONSTITUTIONAL AMENDMENT. Supersedes existing judicial immunity and creates three 25-member "Special Grand Juries" empowered to: determine if a judge may invoke judicial immunity in a civil suit; indict and, through a special trial jury, convict and sentence a judge for criminal conduct; and permanently remove a judge who receives three adverse immunity decisions or three criminal convictions. Disallows immunity for deliberate violations of law, fraud, conspiracy, intentional due process violations, deliberate disregard of material facts, judicial acts outside the court's jurisdiction, unreasonable delay of a case, or any deliberate constitutional violation. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: If passed, the measure will result in costs to the state of about \$18 million annually for the operation of special grand juries. These costs could be partially to fully offset by a number of sources specified in the measure. To the extent that the measure results in additional civil cases being filed against judges in court, the measure could also result in unknown additional costs to the state for support of the courts.

STATE OF CALIFORNIA, COUNTY OF ORANGE

I, Stephen Pflanze, declare and say:

That the statements made herein are personally known to me to be true and that I could competently testify thereto as a witness if called upon to do so.

That I am a proponent of the proposed initiative entitled "Judicial Accountability Amendment," and that I have neither received nor have arranged to receive any appropriation for a particular project contained within the text of the proposed text of this initiative measure, nor have I arranged for any exchanges for a campaign contribution or a pledge for qualifying the proposed measure for the ballot.

That I am a registered voter fully qualified to request a written title and summary for my proposed measure from the State Attorney General, and now do.

That I collectively submit, along with the other proponents in this initiative, a sum total of \$200, and a draft of the proposed initiative for a title and summary.

That my current address, as registered to vote, is:

24821 Winterwood Drive

Lake Forest, California 92630

RECEIVED
FEB 24 2000

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

I declare under penalty of perjury under the laws of the State of California
that the foregoing is true and correct.

Executed this 6 day of February, 2000, at Lake Forest, California.

Signed,

Stephen P. Flange

DOJ-PROBATION DEPT. UNIT
SACRAMENTO OFFICE

00 FEB 24 AM 11:15

STATE OF CALIFORNIA, COUNTY OF

Los Angeles

I, Ronald Branson, declare and say:

That the statements made herein are personally known to me to be true and that I could competently testify thereto as a witness if called upon to do so.

That I am a proponent of the proposed initiative entitled "Judicial Accountability Amendment," and that I have neither received nor have arranged to receive any appropriation for a particular project contained within the text of the proposed text of this initiative measure, nor have I arranged for any exchanges for a campaign contribution or a pledge for qualifying the proposed measure for the ballot.

That I am a registered voter fully qualified to request a written title and summary for my proposed measure from the State Attorney General, and now do.

That I collectively submit, along with the other proponents in this initiative, a sum total of \$200, and a draft of the proposed initiative for a title and summary.

That my current address, as registered to vote, is:

16623 Calahan St.
North Hills, Ca. 91343

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 19th day of Feb., 2000, at Los Angeles,
California.

Signed,

Ronald Branson

RECEIVED

FEB 24 2000

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

SA2000BF0011

STATE OF CALIFORNIA, COUNTY OF LOS ANGELESI, PATRICIA J. BARRY, declare and say:

That the statements made herein are personally known to me to be true and that I could competently testify thereto as a witness if called upon to do so.

That I am a proponent of the proposed initiative entitled "Judicial Accountability Amendment," and that I have neither received nor have arranged to receive any appropriation for a particular project contained within the text of the proposed text of this initiative measure, nor have I arranged for any exchanges for a campaign contribution or a pledge for qualifying the proposed measure for the ballot.

That I am a registered voter fully qualified to request a written title and summary for my proposed measure from the State Attorney General, and now do.

That I collectively submit, along with the other proponents in this initiative, a sum total of \$200, and a draft of the proposed initiative for a title and summary.

That my current address, as registered to vote, is:

PATRICIA J. BARRY
7400 HOLLYWOOD BLVD. #425
LOS ANGELES, CA 90046

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 19th day of FEBRUARY, 2000, at WEST HOLLYWOOD,
California. CA 90046

Signed,

Patricia J. Barry**RECEIVED**
FEB 24 2000INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

STATE OF CALIFORNIA, COUNTY OF Los Angeles

I, Kyle Hamman, declare and say:

That the statements made herein are personally known to me to be true and that I could competently testify thereto as a witness if called upon to do so.

That I am a proponent of the proposed initiative entitled "Judicial Accountability Amendment," and that I have neither received nor have arranged to receive any appropriation for a particular project contained within the text of the proposed text of this initiative measure, nor have I arranged for any exchanges for a campaign contribution or a pledge for qualifying the proposed measure for the ballot.

That I am a registered voter fully qualified to request a written title and summary for my proposed measure from the State Attorney General, and now do.

That I collectively submit, along with the other proponents in this initiative, a sum total of \$200, and a draft of the proposed initiative for a title and summary.

That my current address, as registered to vote, is:

15600 VanOwen Street, #104
Van Nuys, California 91406

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 18th day of January, 2000, at Glendale,
California.

Signed,

Kyle Hamman

RECEIVED

FEB 24 2000

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

STATE OF CALIFORNIA, COUNTY OF Los Angeles

I, Alex A. Burrola, declare and say:

That the statements made herein are personally known to me to be true and that I could competently testify thereto as a witness if called upon to do so.

That I am a proponent of the proposed initiative entitled "Judicial Accountability Amendment," and that I have neither received nor have arranged to receive any appropriation for a particular project contained within the text of the proposed text of this initiative measure, nor have I arranged for any exchanges for a campaign contribution or a pledge for qualifying the proposed measure for the ballot.

That I am a registered voter fully qualified to request a written title and summary for my proposed measure from the State Attorney General, and now do.

That I collectively submit, along with the other proponents in this initiative, a sum total of \$200, and a draft of the proposed initiative for a title and summary.

That my current address, as registered to vote, is:

800 Frankel Ave.
Montebello, CA 90640

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 18th day of January, 2000, at Glendale,
California.

Signed,

Alex A. Burrola

RECEIVED
FEB 24 2000

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

STATE OF CALIFORNIA, COUNTY OF L.A. COUNTY

I, WAYNE W. MILLER, declare and say:

That the statements made herein are personally known to me to be true and that I could competently testify thereto as a witness if called upon to do so.

That I am a proponent of the proposed initiative entitled "Judicial Accountability Amendment," and that I have neither received nor have arranged to receive any appropriation for a particular project contained within the text of the proposed text of this initiative measure, nor have I arranged for any exchanges for a campaign contribution or a pledge for qualifying the proposed measure for the ballot.

That I am a registered voter fully qualified to request a written title and summary for my proposed measure from the State Attorney General, and now do.

That I collectively submit, along with the other proponents in this initiative, a sum total of \$200, and a draft of the proposed initiative for a title and summary.

That my current address, as registered to vote, is:

9789 KARLONT AVE.
SOUTH GATE, CA. 90280

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 18TH day of JANUARY, 2000, at GLENDALE,
California.

Signed, 

RECEIVED
FEB 24 2000

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

STATE OF CALIFORNIA, COUNTY OF LA. County

I, GLADYS O. MILLER, declare and say:

That the statements made herein are personally known to me to be true and that I could competently testify thereto as a witness if called upon to do so.

That I am a proponent of the proposed initiative entitled "Judicial Accountability Amendment," and that I have neither received nor have arranged to receive any appropriation for a particular project contained within the text of the proposed text of this initiative measure, nor have I arranged for any exchanges for a campaign contribution or a pledge for qualifying the proposed measure for the ballot.

That I am a registered voter fully qualified to request a written title and summary for my proposed measure from the State Attorney General, and now do.

That I collectively submit, along with the other proponents in this initiative, a sum total of \$200, and a draft of the proposed initiative for a title and summary.

That my current address, as registered to vote, is:

9789 KARMONT AVE.
SOUTH GATE, CA. 90280

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 18TH day of JANUARY, 2000, at GLENDALE,
California.

Signed,

Gladys O. Miller

RECEIVED

FEB 24 2000

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

STATE OF CALIFORNIA, COUNTY OF Los Angeles

I, A. Denise Gonzales, declare and say:

That the statements made herein are personally known to me to be true and that I could competently testify thereto as a witness if called upon to do so.

That I am a proponent of the proposed initiative entitled "Judicial Accountability Amendment," and that I have neither received nor have arranged to receive any appropriation for a particular project contained within the text of the proposed text of this initiative measure, nor have I arranged for any exchanges for a campaign contribution or a pledge for qualifying the proposed measure for the ballot.

That I am a registered voter fully qualified to request a written title and summary for my proposed measure from the State Attorney General, and now do.

That I collectively submit, along with the other proponents in this initiative, a sum total of \$200, and a draft of the proposed initiative for a title and summary.

That my current address, as registered to vote, is:

5221 No. Rosemead Bl "D"
San Gabriel, Calif [91776]

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 16 day of Feb., 2000, at San Gabriel,
California.

Signed,

A. Denise Gonzales

RECEIVED
FEB 24 2000

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I, Summer Reese, declare and say:

That the statements made herein are personally known to me to be true and that I could competently testify thereto as a witness if called upon to do so.

That I am a proponent of the proposed initiative entitled "Judicial Accountability Amendment," and that I have neither received nor have arranged to receive any appropriation for a particular project contained within the text of the proposed text of this initiative measure, nor have I arranged for any exchanges for a campaign contribution or a pledge for qualifying the proposed measure for the ballot.

That I am a registered voter fully qualified to request a written title and summary for my proposed measure from the State Attorney General, and now do.

That I collectively submit, along with the other proponents in this initiative, a sum total of \$200, and a draft of the proposed initiative for a title and summary.

That my current address, as registered to vote, is:

8928 1/2 Woodman Ave
Alhambra, Ca. 91331

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 15 day of FEB, 2000, at LOS ANGELES
California.

Signed,

Summer Reese

RECEIVED

FEB 24 2000

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

STATE OF CALIFORNIA, COUNTY OF ORANGE

I, REYMON MOTTAKEDH, declare and say:

That the statements made herein are personally known to me to be true and that I could competently testify thereto as a witness if called upon to do so.

That I am a proponent of the proposed initiative entitled "Judicial Accountability Amendment," and that I have neither received nor have arranged to receive any appropriation for a particular project contained within the text of the proposed text of this initiative measure, nor have I arranged for any exchanges for a campaign contribution or a pledge for qualifying the proposed measure for the ballot.

That I am a registered voter fully qualified to request a written title and summary for my proposed measure from the State Attorney General, and now do.

That I collectively submit, along with the other proponents in this initiative, a sum total of \$200, and a draft of the proposed initiative for a title and summary.

That my current address, as registered to vote, is:

13211 MYFORD ROAD, #332
TUSTIN, CA 92782

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 15 day of FEBRUARY, 2000, at TUSTIN,
California.

Signed,

Reymon Mottak

RECEIVED

FEB 24 2000

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

STATE OF CALIFORNIA, COUNTY OF SAN BERNARDINOI, MICHAEL L. PENDLETON, declare and say:

That the statements made herein are personally known to me to be true and that I could competently testify thereto as a witness if called upon to do so.

That I am a proponent of the proposed initiative entitled "Judicial Accountability Amendment," and that I have neither received nor have arranged to receive any appropriation for a particular project contained within the text of the proposed text of this initiative measure, nor have I arranged for any exchanges for a campaign contribution or a pledge for qualifying the proposed measure for the ballot.

That I am a registered voter fully qualified to request a written title and summary for my proposed measure from the State Attorney General, and now do.

That I collectively submit, along with the other proponents in this initiative, a sum total of \$200, and a draft of the proposed initiative for a title and summary.

That my current address, as registered to vote, is:

7903 ELM AVENUE, #265RANCHO CUCAMONGA, CA 91730

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 9 day of FEBRUARY, 2000, at San Marino,
California.

Signed,

Michael Pendleton**RECEIVED**
FEB 24 2000INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

SA 2000 RF0011

STATE OF CALIFORNIA, COUNTY OF ORANGEI, PHILIP A PUTMAN, declare and say:

That the statements made herein are personally known to me to be true and that I could competently testify thereto as a witness if called upon to do so.

That I am a proponent of the proposed initiative entitled "Judicial Accountability Amendment," and that I have neither received nor have arranged to receive any appropriation for a particular project contained within the text of the proposed text of this initiative measure, nor have I arranged for any exchanges for a campaign contribution or a pledge for qualifying the proposed measure for the ballot.

That I am a registered voter fully qualified to request a written title and summary for my proposed measure from the State Attorney General, and now do.

That I collectively submit, along with the other proponents in this initiative, a sum total of \$200, and a draft of the proposed initiative for a title and summary.

That my current address, as registered to vote, is:

9652 BAY MEADOW DR
HUNTINGTON BEACH, CA 92646

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 10 day of JAN, 2000, at HUNTINGTON BEACH,
California.

Signed, 

RECEIVED
FEB 24 2000

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

STATE OF CALIFORNIA, COUNTY OF L.A.I, Daniel S. Lee, declare and say:

That the statements made herein are personally known to me to be true and that I could competently testify thereto as a witness if called upon to do so.

That I am a proponent of the proposed initiative entitled "Judicial Accountability Amendment," and that I have neither received nor have arranged to receive any appropriation for a particular project contained within the text of the proposed text of this initiative measure, nor have I arranged for any exchanges for a campaign contribution or a pledge for qualifying the proposed measure for the ballot.

That I am a registered voter fully qualified to request a written title and summary for my proposed measure from the State Attorney General, and now do.

That I collectively submit, along with the other proponents in this initiative, a sum total of \$200, and a draft of the proposed initiative for a title and summary.

That my current address, as registered to vote, is:

11034 DEFOE AVE.
PRACINER CAL. 91331

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 15 day of FEB., 2000, at L.A.
California.

Signed, Daniel S. Lee

RECEIVED
FEB 24 2000

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Judicial Accountability Initiative Law (J.A.I.L.)

(a) Preamble. We, the People of California, find that the doctrine of judicial immunity has been greatly abused; and when judges abuse their power, the people are obliged - it is their duty - to correct that injury, for the benefit of themselves and their posterity. In order to ensure judicial accountability and domestic tranquility, we hereby amend Article I of our Constitution with these provisions, which shall be known as "**The Judicial Accountability Amendment.**"

(b) Definitions. For purposes of this amendment:

1. The term "blocking" shall mean any act that impedes the lawful conclusion of a case, to include unreasonable delay and willful rendering of a void judgment or order.
2. The term "judge" shall mean justice, judge, magistrate, commissioner, judge pro tem, private judge, judicial mediator, arbitrator and referee, and every person shielded by judicial immunity.
3. The term "Juror" shall mean a Special Grand Juror.
4. The term "seat" shall mean a situs and facility that is suitable for usage by the Jury.
5. The term "strike" shall mean an adverse immunity decision.

Where appropriate, the singular shall include the plural.

(c) Immunity. Notwithstanding common law or any other provision to the contrary, no immunities shall be extended to any judge of this State except as is specifically set forth in this Amendment. Preserving the purpose of protecting judges from frivolous and harassing actions, no immunity shielding a judge shall be construed to extend to any deliberate violation of law, fraud or conspiracy, intentional violation of due process of law, deliberate disregard of material facts, judicial acts without jurisdiction, blocking of a lawful conclusion of a case, or any deliberate violation of the Constitutions of California or the United States.

(d) Special Grand Juries. There are hereby created within this State three twenty-five member Special Grand Juries with statewide jurisdiction having power to judge both law and fact. This body shall exist independent of statutes governing county grand juries. Their responsibility shall be limited to determining, on an objective

standard, whether a civil suit against a judge would be frivolous and harassing, or fall within the exclusions of immunity as set forth herein, and whether there is probable cause of criminal conduct by the judge complained of.

(e) Professional Counsel. Each Special Grand Jury shall have exclusive power to retain non-governmental advisors, special prosecutors, and investigators, as needed, who shall serve no longer than one year, after which term said officers shall be ineligible. Notwithstanding the one year, a special prosecutor may be retained to prosecute current cases in which they are involved through all appeals and any complaints for judicial misconduct.

(f) Establishment of Special Grand Jury Seats. Within ninety days following the ratification of this Amendment, the Legislature shall provide a seat for each Special Grand Jury. No seat shall be located within a mile of any judicial body, and each seat shall be reasonably placed proportionately according to population throughout the State. Should the Legislature fail to so act within ninety days, its members shall permanently forfeit their salaries and per diem pay, beginning on the ninety-first day, until such time that it abides by the terms of this (f) section.

(g) Annual Funding. The Legislature shall cause to be deducted two and nine-tenths percent from the gross judicial salaries of all judges, which amount shall be deposited regularly into the exclusive trust account created by this Amendment in paragraph (k) for its operational expenses, together with filing fees under paragraph (h), surcharges under paragraph (i), forfeited benefits of disciplined judges under paragraph (q), and fines imposed under paragraph (r).

(h) Filing Fees. Parties filing a civil complaint or answer before the Special Grand Jury, when represented by an attorney, shall at the time of filing pay a fee equal to the filing fee due in a civil appeal to the State Supreme Court. Individuals filing a civil complaint or answer before the Special Grand Jury in their own behalf as a matter of right, shall, at the time of filing, post a fee of fifty dollars, or file a declaration, which shall remain confidential, stating they are impoverished and unable to pay and/or object to such fee.

(i) Surcharges. Should this Amendment lack sufficient funding through its fines, fees, and forfeitures (including deductions in paragraph (g)), the Legislature shall impose appropriate surcharges upon the civil court filing fees of corporate litigants as necessary to make this Amendment self-supporting.

(j) Compensation of Jurors. Each Juror shall receive a salary commensurate to a Superior Court judge prorated according to the number of days actually served.

(k) Annual Budget. The Special Grand Juries shall have an annual operational budget commensurate to double the combined salaries of the seventy-five Jurors serving full time, which sum shall be initially deposited by the Legislature into an exclusive trust account to be annually administered by the State Controller. Should the trust balance, within any budget year, drop to less than an amount equivalent to the annual gross salaries of fifty Superior Court judges, the State Controller shall so notify the Legislature which shall replenish the account, prorated based on the actual average expenditures during the budget year. Should the trust balance in any subsequent year exceed the annual operational budget at the beginning of a new budget year, the State Controller shall return such excess to the state treasury.

(l) Jurisdiction. Each Special Grand Jury shall have exclusive power to establish rules assuring their attendance, to provide internal discipline, and to remove any of its members on grounds of misconduct. The Special Grand Jury shall immediately assign a docket number to each complaint brought before it, unless such case is transferred to another Special Grand Jury to achieve caseload balance. A transfer shall not prejudice a docketing deadline. The Special Grand Jury first docketing a complaint shall have sole jurisdiction of the case. Except as provided in paragraphs (s) and (w), no complaint of misconduct shall be considered by any Special Grand Jury unless the complainant shall have first attempted to exhaust all judicial remedies available in this State within the immediately preceding six-month period. Such six-month period, however, shall not commence in complaints of prior fraud or blocking of a lawful conclusion until after the date the Special Grand Juries become functional. This provision applies remedially and retroactively. Should the complainant opt to proceed to the United States Supreme Court, such six-month period shall commence upon the disposition by that court.

(m) Qualifications of Jurors. A Juror shall be thirty years of age, and have been nine years a citizen of the United States, and have been an inhabitant of California for two years immediately prior to having his/her name drawn. Those not eligible for Special Grand Jury service shall include elected and appointed officials, members of the State Bar, judges (active or retired), judicial, prosecutorial and law enforcement personnel, without other exclusion except previous adjudication of mental incapacity, imprisonment, or parole from a conviction of a felonious crime against persons.

(n) Selection of Jurors. The Jurors shall serve without compulsion and shall be drawn by public lot by the Secretary of State from names on the voters rolls and any citizen submitting his/her name to the Secretary of State for such drawing.

(o) Service of Jurors. Excluding the establishment of the initial Special Grand Juries, each Juror shall serve one year. No Juror shall serve more than once. On the first day of each month, two persons shall be rotated off each Special Grand Jury and

new Citizens seated, except in January it shall be three. Vacancies shall be filled on the first of the following month in addition to the Jurors regularly rotated, and the Juror chosen to fill a vacancy shall complete only the remainder of the term of the Juror replaced. A majority of thirteen shall determine any matter. Special Grand Jury files shall always remain public record following their final determination.

(p) Procedures. The Special Grand Jury shall serve a copy of the filed complaint upon the subject judge and notice to the complainant of such service. The judge shall have twenty days to serve and file an answer. The complainant shall have fifteen days to reply to the judge's answer. (Upon timely request, the Special Grand Jury may provide for extensions for good cause.) The Special Grand Jury shall have power to subpoena witnesses, documents, and other tangible evidence, and to examine witnesses under oath. Each Special Grand Jury shall determine the causes properly before it with their reasoned findings in writing within one hundred twenty (120) calendar days, serving on all parties their decision on whether immunity shall be barred as a defense to any civil action that may thereafter be pursued against the judge. A rehearing may be requested of the Special Grand Jury within fifteen days with service upon the opposition. Fifteen days shall be allowed to reply thereto. Thereafter, the Special Grand Jury shall render final determination within thirty days. All allegations of the complaint shall be liberally construed in favor of the complainant. The Jurors shall keep in mind, in making their decisions, that they are entrusted by the People of this State with the duty of restoring a perception of justice and accountability of the judiciary, and are not to be swayed by artful presentation by the judge. They shall avoid all influence by judicial and government entities. The statute of limitations on any civil suit brought pursuant to this Amendment against a State judge shall not commence until the rendering of a final decision by the Special Grand Jury.

(q) Removal. Whenever any judge has received three strikes, the judge shall be permanently removed from office, and thereafter shall not serve in any State judicial office, including that of private judge. Judicial retirement for such removed judge shall not exceed one-half of the benefits to which such person would have otherwise been entitled. Retirement shall not avert third strike penalties.

(r) Indictment. Should the Special Grand Jury also find probable cause of criminal conduct on the part of any judge against whom a complaint is docketed, it shall have the power to indict such judge except where double jeopardy attaches. The Special Grand Jury shall, without *voir dire* beyond personal relationship, cause to be impaneled twelve special trial jurors, plus alternates, which trial jurors shall be instructed that they have power to judge both law and fact. The Special Grand Jury shall also select a non-governmental special prosecutor and a judge with no more than four years on the bench from a county other than that of the defendant judge.

The trial jury shall be selected from the same pool of jury candidates as any regular jury. The special prosecutor shall thereafter prosecute the cause to a conclusion, having all the powers of any other prosecutor within this State. Upon conviction, the special trial jury shall have exclusive power of sentencing (limited to incarceration, fines and/or community service), which shall be derived by an average of the sentences of the trial jurors.

(s) Criminal Procedures. In addition to any other provisions of this Amendment, a complaint for criminal conduct of a judge may be brought directly to the Special Grand Jury upon all the following prerequisites: (1) an affidavit of criminal conduct has been lodged with the appropriate prosecutorial entity within ninety (90) days of the commission of the alleged conduct; (2) the prosecutor declines to prosecute, or one hundred twenty (120) days has passed following the lodging of such affidavit and prosecution has not commenced; (3) an indictment, if sought, has not been specifically declined on the merits by a county Grand Jury; and (4) the criminal statute of limitations has not run. Any criminal conviction (including a plea bargain) under any judicial process shall constitute a strike.

(t) Public Indemnification. No judge complained of, or sued civilly by a complainant pursuant to this Amendment, shall be defended at public expense or by any elected or appointed public counsel, nor shall any judge be reimbursed from public funds for any losses sustained under this Amendment.

(u) Enforcement. No person exercising strict enforcement of the findings of a Special Grand Jury shall be held liable civilly, criminally, or in contempt.

(v) Redress. The provisions of this Amendment are in addition to other redress that may exist and are not mutually exclusive.

(w) Challenges to Amendment. No judge under the jurisdiction of the Special Grand Jury, or potentially affected by the outcome of a challenge to this Amendment, shall have any jurisdiction to sit in judgment of such challenge. Such pretended adjudication shall be null and void for all purposes and a complaint for such misconduct may be brought at any time, without charge, before the Special Grand Jury by class-action, or by any adversely affected person.

(x) Preeminence. Preeminence shall be given to this Amendment in any case of conflicts with statute, case law or constitutional provision. The foreperson of each Special Grand Jury shall read, or cause to be read, this Amendment to the respective Jurors semi-annually during the first week of business in January and July. Should any part of this Amendment be determined unconstitutional, the remainder shall remain in full force and effect as though no challenge thereto existed.